

**DRAFT**  
**OGC:LRH:jeb**  
**28 August 1969**

**The Honorable Melvin R. Laird**  
**Secretary of Defense**  
**Washington, D. C. 20301**

**Dear Mel:**

On 26 August I was visited by Mr. Thaddeus R. Beal, at the time Acting Secretary of the Army. He said he came at your request so that I would be fully aware of the present status of the case of the Special Forces personnel under investigation on charges of murder in Saigon.

I very much appreciate your thoughtfulness in this regard, and Mr. Beal was most helpful in spelling out in detail the various considerations which would be involved in the eventual disposition of these cases. He asked me to give careful thought to these matters and to give the Department of Defense my views.

I have familiarized myself with the facts of this case insofar as they are available to us. It is my understanding that the present proceeding has been, since its inception, a military investigation into the alleged actions of military personnel and

has, therefore, been handled in the MACV line of command. This Agency is not in that line of command and has no command relationship with the Special Forces. We have, however, cooperated to the extent of our ability in the investigation, which was initiated by Sergeant Alvin L. Smith's request to us for help and our report to MACV of this request. We have also furnished the witness who was requested by the investigating officer.

It appears to me that developments in this case will continue to be purely military matters for disposition by the Department of the Army. I have no desire or reason to interpose this Agency in the determinations which must be made in the future. Specifically, in answer to a point raised by Mr. Beal, I have no reason to object to the cases going to trial by court-martial if that should be the determination of the Department of the Army.

Sincerely,

DCI

Copies in draft to:  
DDCI  
ExDir-Compt  
D/DCI/NIPE  
SAVA  
DDP  
Legislative Counsel  
AC/FE